

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1255

2001 HOUSE POLITICAL SUBDIVISIONS

HB 1255

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1255

House Political Subdivisions Committee

Conference Committee

Hearing Date 1-25-01

Tape Number	Side A	Side B	Meter #
1	xx		95--767
2	xx		905--1100
Committee Clerk Signature <i>Pam Deven</i>			

Minutes: Chairman Froseth opened the hearing on HB1255 with all committee members present.

Rep. Gullerson, Dist 26 : testified in support of this bill on behalf of the ND Association of Counties and the ND Association of Register of Deeds. It is their desire to change their title from Register of Deeds to *Recorder*. This change is requested to keep up with the times.

Maxine Olson-Hill, ND Register of Deeds Assoc. : here in support of HB1255.(see attached)

Vice-Chair Severson : (377) Are there any other places in statute that we need to change the words *register of deeds* to *recorder*?

Maxine : This will be reflected throughout the statute. All the sections of the law are covered.

Rep. Herbel : Why is this change needed? Are the responsibilities changing?

Maxine : This was established 100 years ago and things have changed a great deal. On a national level, most are already referred to as recorders. We need to get with the times.

Rep. Herbel : Will there be a salary adjustment and is the register of deeds in statute?

House Political Subdivisions Committee
Bill/Resolution Number HB1255
Hearing Date 1-25-01

Maxine : We are not in the constitution. We do not anticipate anything with salary structure.

There are minimum requirements as to what pay is in statute. Are salaries are set.

Rep. Grosz : Do you see any short term confusion with the public over this change?

Maxine : (615) I think this bill will clear up the confusion.

Larry Osborn, Richland County : Support of this bill. It will give a better description, and this change has already been done in many other states.

Chair Froseth : Any further testimony for or against? Hearing none, hearing closed.

Tape 2, side A (905-1100) Chair Froseth : Let's look at HB1255.

Rep. Maragos : I move a **DO PASS**.

Rep. Delmore : I second.

VOTE: 13 YES and 0 NO with 2 absent. BILL PASSED. Rep. Maragos will carry.

Date: 1-25-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1255

House POLITICAL SUBDIVISIONS Committee _____

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By Rep. Maragos Seconded By Rep. Delmore

Representatives	Yes	No	Representatives	Yes	No
Chairman Glen Froseth	/		Rep. Wayne W. Tieman	/	
Vice-Chair Dale C. Severson	/				
Rep. Lois Delmore	/				
Rep. Rachael Disrud	/				
Rep. Bruce Eckre	/				
Rep. Mary Ekstrom	AB				
Rep. April Fairfield	/				
Rep. Michael Grosz	/				
Rep. Jane Gunter	/				
Rep. Gil Herbel	AB				
Rep. Nancy Johnson	/				
Rep. William E. Kretschmar	/				
Rep. Carol A. Niemeier	/				
Rep. Andrew G. Maragos	/				

Total (Yes) 13 No 0

Absent 2

Floor Assignment Rep. Maragos

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 25, 2001 3:45 p.m.

Module No: HR-13-1661
Carrier: Maragos
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1255: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1255 was placed on the Eleventh order on the calendar.

2001 SENATE POLITICAL SUBDIVISIONS

HB 1255

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1255

Senate Political Subdivisions Committee

Conference Committee

Hearing Date March 1, 2001

Tape Number	Side A	Side B	Meter #
1	x		22.2-36.8
		x	16.5-17.7
Committee Clerk Signature <i>Mary Jo Wacker</i>			

Minutes:

The hearing was opened on HB1255; relating to changing references from the Register of Deeds to the recorder. All senators were present except Senator Flakoll was absent.

REPRESENTATIVE ONSTAD: Spoke in behalf of Representative Pam Guleson. We introduced HB1255 on behalf of the Register of Deeds Association. It is the feelings of this association that the title Register of Deeds no longer provides a true representation of their roles in county government. Throughout the years their have expanded into many areas, beyond that of registering of deeds. They believe the county recorder would more accurately reflect that idea. Many states have already have this in place and have made this change. There are several people that represent the association and they will be able to provide you with more information that pertains to their exact job and other details. ANN JOHNSRUD: McKenzie County Register of Deeds. See attached written testimony. SENATOR WATNE: I am a former court reporter. Suddenly a number of years, in the court system they started in with recording instead of

shorthand in the county system. Those people have the title of county recorder, although those are now in district court. Is there any conflict? ANN JOHNSRUD: Senator Watne, I guess I don't have a real good answer for that. In our county, she still is the clerk of court, she would be the clerk of district court and I'm the register of deeds. I will be the recorder. SENATOR WATNE: Not the clerk of court? ANN JOHNSRUD: We're talking about the shorthand...SENATOR WATNE: The ones that are with the judge taking everything down on the machine and some of those courts have now gone to the system of recording instead of shorthand. ANN JOHNSRUD: I guess I don't have any comment, we don't one in our county. AL JAEGER: Secretary of State. Our position here is neutral in terms of the name change itself. See attached written testimony. SENATOR COOK: Mr. Jaeger can you shed any light on Senator Watne's question? AL JAEGER: No I really can't. I think what I am hearing you say is the person that's sitting there and doing the transcribing, but I think if, what I perceive from your question Senator Watne was that would there be any confusion? And I think in the terms of the general public I really can't see that being any source of confusion because quite frankly I think the public doesn't know who that person is. They just see him on television, on Perry Mason reruns, sitting there doing something. And unless they are in court, they don't even know, they just know that there is a person there. I think in the county system in terms of terminology, I just can't see where it would be a really any kind of problem. The name being changed for this particular county position isn't going to or wouldn't be a problem. SENATOR WATNE: HB1105, is that the one we heard in the Judiciary Committee yesterday? AL JAEGER: Yes, Senator Watne that is the one you heard yesterday. SENATOR WATNE: As to the fiscal note, and I am sure that bill will go through no problem, what does it do to this one? Eliminate it? AL JAEGER: See I am not even sure we were ask to submit a fiscal note on this. We did talk to Legislative Council about it because when

we became aware of the name change we immediately knew that that was a fiscal impact to our office. But also the cut off on fiscal notes is \$5000. So the impact is less than that so we weren't asked to make one, but because it has in the Registers were aware of it, we felt we would be up front with everybody and say that yes his office is impacted, but no it doesn't bother us, and yes if it is done at the same time as 1105. Because of the nature of the programming. See our central indexing system is on the states mainframe. So, when we do the name change in Article 9, that is all mainframe programming. If they are doing it for Article 9 at the same time makes a switch to recorder, we've saved a considerable amount of cost. So it would be minimal. SENATOR MATHERN: Could you tell me briefly what HB1105 does? AL JAEGER: 1105 was introduced by the Uniform Commission of States Laws. It has specifically to do with the rewrite really of the uniform commercial code. What it essentially does is take our present law and just wipes the slate clean and puts in the new language. It is about 142 pages long. That bill though, what happened before its introduction is that all of the different parties, banks, Secretary of State's office, the trade associations like the Grain Dealers, all got together and we were facilitated by Sandy Tabor who at that time was the EEO of the Bar Association. This thing has been combed through so many times that. Everybody's got whatever they needed is okay. We had to make a couple of minor amendments on the House side and so when it came in front of the Judiciary Committee yesterday it was in good shape. Essentially everybody got up and more or less blessed it, and there was no more opposition to it. Probably one of the main things from the standpoint of our office as a office of record is that it will allow direct data entry for filings. We've been working with the registe. of deeds and what have you, and we will be handling that the same way that we now do on searches. That is that when the filing is made so that there is no revenue lost to the counties, the filer will have the choice of saying which county is going to get

credit for that filing, like they do now in searches. It should work well, when we get everything done. But again with that I have to do some programing. This name change actually from the standpoint of register of deeds association, there timing is pretty good because I can do it at the same time. SENATOR MATHERN: Ann, could you foresee any changes in documents, where that name is addressed if you have to change documents in your office or the ones that are supplied to financial institutions, etc. ANN JOHNSRUD: I don't believe so. The only thing that really has register of deeds on it a form per say, would be from the Secretary of State's office. The UCC forms. We would have to change our stamp from register of deeds to county recorder but other than that I don't, there are no forms that have to be changed nowhere. TERRY TRAYNOR: Association of Counties, spoke on behalf of Maxine Olson Hill, Burleigh County Register of Deeds testimony in support of HB1255. See written attached testimony. The Association of Counties supports the registers in this effort and would urge a Do Pass on the bill. Hearing Closed on HB1255.

March 1, 2001 Tape 1, Side B, Meter # 16.5-

Senator Cook asked the committee for discussion on HB1255.

Senator Watne moved for a Do Pass

Senator Christenson- 2nd

Roll call vote: 7 Yeas, 0 No, 1 Abs

Carrier: Senator Christenson

REPORT OF STANDING COMMITTEE (410)
March 2, 2001 2:04 p.m.

Module No: SR-36-4748
Carrier: Christenson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1255: Political Subdivisions Committee (Sen. Cook, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1255 was placed on the Fourteenth order on the calendar.

2001 TESTIMONY

HB 1255

